

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION SIX**

BRADFORD REGIONAL MEDICAL CENTER<sup>1</sup>

EMPLOYER

AND

**Case** 6-RC-12200

UNITED STEELWORKERS OF AMERICA,  
AFL-CIO, CLC

PETITIONER

**REGIONAL DIRECTOR'S DECISION AND DIRECTION OF ELECTION**

The Employer, Bradford Regional Medical Center, operates an acute care hospital in Bradford, Pennsylvania, where it employs 15 skilled maintenance employees. The Petitioner, United Steelworkers of America, AFL-CIO, CLC, filed a petition with the National Labor Relations Board under Section 9(c) of the National Labor Relations Act seeking to represent a unit of all full-time and regular part-time skilled maintenance employees employed at the Employer's Bradford hospital. A hearing officer of the Board held a hearing and the parties filed timely briefs with me.

As noted, in this case the Petitioner seeks a unit comprised of 15 skilled maintenance employees. The Employer agrees that inasmuch as it is an acute care hospital, a unit of skilled maintenance employees would be an appropriate unit under the Rule governing health care institutions. However, the Employer, contrary to the Petitioner, contends that in this case the skilled maintenance employees perform significant security-related functions making them guards within the meaning of the Act. The Employer further contends that inasmuch as the

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<sup>1</sup> The name of the Employer appears as amended at the hearing.

Petitioner also represents non-guard employees, the petition must be dismissed. Thus, the parties disagree on the following issue: whether the skilled maintenance employees are guards within the meaning of the Act.

I have considered the evidence and the arguments presented by the parties on the issue. As discussed below, I have concluded that the day shift maintenance employees perform only minor security-related duties and are not guards within the meaning of the Act. However, I have also concluded that the evening shift maintenance employee performs significant security-related functions and is a guard within the meaning of the Act. Accordingly, I have directed an election in a unit that consists of approximately 14 day shift maintenance employees and excludes the one evening shift maintenance employee.

To provide a context for my discussion of the issues, I will first provide an overview of the Employer's operations. Then, I will present in detail the facts and reasoning that supports my conclusion on the issue.

## **I. OVERVIEW OF OPERATIONS**

The Employer, a not-for-profit corporation, operates an acute care hospital in Bradford, Pennsylvania. The hospital complex consists of a five-story<sup>2</sup> building housing the hospital, an attached nursing home, and two free-standing medical office buildings located across the street. Because it is built into the side of a hill, the hospital has 19 outside entrances. Surrounding the hospital complex are nine parking lots, some of which are designated for visitors and patients, some designated for employees, some designated for physicians, and some designated as mixed use.<sup>3</sup>

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<sup>2</sup> A sixth story contains only a penthouse mechanical room.

<sup>3</sup> Located across the street from the hospital is a high school. Students and teachers from the high school park in the hospital's lots taking available spaces from designated users. The hospital's response to this parking problem is discussed in the text below.

## **II. MAINTENANCE DEPARTMENT**

The hospital's Plant Services department is under the direction of Daniel Rees. Reporting to Rees is an assistant director Jeff Gable.<sup>4</sup> The department consists of 15 maintenance employees<sup>5</sup> and four security guards.<sup>6</sup> The department is located on the ground floor of the hospital's east wing.

### **A. Day Shift Maintenance Employees**

All of the maintenance employees, except one, work the day shift, Monday through Friday, with slight variations in starting and quitting times. Specifically, two maintenance employees work from 6:00 a.m. to 2:30 p.m., eleven work from 7:00 a.m. to 3:30 p.m., and one works from 8:30 a.m. to 5:00 p.m. The one maintenance employee who does not work the day shift during the week works from 5:00 p.m. to 10:00 p.m., Monday through Friday. On Saturday and Sunday, there is one maintenance employee working from 6:00 a.m. to 2:30 p.m.

The primary responsibility of the maintenance employees working the day shift is to ensure the safe and efficient operation of all aspects of the hospital's physical plant.<sup>7</sup> All of the day shift maintenance employees, except one, are classified as mechanics with the additional designation of systems, zone, electrician, construction/renovation, painter, preventive maintenance or HVAC. Regarding the one maintenance employee with a different job classification, he is classified as the biomedical equipment technician.

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<sup>4</sup> Rees and Gable are employed by Sodexo, which provides management services to the hospital

<sup>5</sup> There are 14 full-time maintenance employees and one part-time maintenance employee.

<sup>6</sup> There is one full-time security guard, one part-time security guard, and two "PRN" security guards, who work regular hours, but whose hours are too few to qualify as part-time.

<sup>7</sup> As part of their duties, the maintenance employees make mechanical rounds, which takes them to all areas of the hospital.

The maintenance employees wear dark blue pants and light blue shirts, and carry radios.<sup>8</sup> The job description for maintenance employees, with one principal exception, states that they perform the security detail as required.<sup>9</sup> One maintenance employee, the biomedical technician, is not required, and does not, perform security functions. Further, the evaluation form for the maintenance employees includes as one item upon which they are evaluated, their performance of security details.

The day shift maintenance employees begin their day with a 7 a.m. meeting with Rees and/or Gable. The maintenance employees record the time spent on different duties during the day on a "Plant Services Daily Time Sheet."<sup>10</sup> On this log sheet, maintenance employees record all their duties, including those which the Employer contends establish guard status, such as patrolling the parking lots and responding to Codes, which are discussed in detail below.

#### **B. Evening Shift Maintenance Employee**

Unlike the day shift maintenance employees, the maintenance employee working from 5:00 p.m. to 10:00 p.m. Monday through Friday,<sup>11</sup> does not have a dual job classification; he is classified only as a general mechanic. Further, unlike the day shift maintenance employees, the evening shift maintenance employee has, as his primary responsibility, the performance of security functions. Among his duties are making security rounds and locking the entrance doors after visiting hours end. For example, during February 2003, he spent 2 ½ to 3 ½ hours per evening making security rounds. Further, instead of attending the daily meetings with maintenance employees, he attends the security guard meetings.

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<sup>8</sup> One maintenance employee prefers to carry a pager.

<sup>9</sup> The job description of the painter inadvertently omits this requirement, but the painter does perform the same security-related duties as the other maintenance employees.

<sup>10</sup> Two maintenance employees maintain their records on Palm Pilots instead.

<sup>11</sup> He is the one part-time maintenance employee in the department.

### **C. Security Guards**

There is one security guard on duty from 10:00 p.m. to 6:00 a.m. Monday through Friday, and one security guard on duty from 2:00 p.m. to 10:00 p.m. and from 10:00 p.m. to 6:00 a.m. Saturday and Sunday.

The security guards wear dark pants and white shirts with “security” arm patches. They carry radios and the security key ring.<sup>12</sup> When there is no security guard on duty, this key ring is kept in the maintenance department accessible to the maintenance employees. There is a meeting of all the security guards, and the maintenance employee working from 5:00 p.m. to 10:00 p.m., on a bimonthly basis.

The job description for the security guards requires them to perform routine maintenance tasks, such as unplugging a toilet, changing a light bulb, bring a new phone to a room and changing phones, and bringing a new bed to a room, in addition to their security functions. The security guards also make mechanical rounds, taking readings off gauges; if the readings are not within normal limits, the security guard contacts the maintenance employee who is on call. When rounding, they check to ensure that the doors are locked. The security guards record the time spent on different duties on the “Security Log and Incident Report.”

The security guards do not carry weapons; they are not deputized; they are not required to be bonded; they are not fingerprinted; and they do not undergo any background check. They do not monitor security cameras.<sup>13</sup> The only training the security guards receive is viewing two videos, one on general security and one on hospital-specific security, and taking a quiz about them. The maintenance employees also view the videos and take the quiz. The hospital-specific security video is also shown to all hospital employees.

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<sup>12</sup> A separate master key for areas that need to be more secure, such as the administrative offices, accounting department, gift shop, and human resources department, is entrusted to administrative personnel.

<sup>13</sup> The maintenance employees also do not carry weapons, are not deputized, are not bonded, are not fingerprinted, do not undergo a background check, and do not monitor security cameras.

### **III. SPECIFIC DUTIES RELIED UPON BY EMPLOYER**

In asserting that the maintenance employees are guards within the meaning of the Act, the Employer relies on five specific duties of the maintenance employees as indicia of their guard status. Each of those duties is discussed below.

#### **A. Ensuring Adequate Parking**

As noted, the hospital has nine parking lots, which are designated for visitors and patients, or employees, or physicians, or mixed use. When school is in session, students and teachers from the neighboring high school will park in the lots, although not authorized to do so. This can make it difficult for patients and visitors and others to park. As a result, primarily when school is in session, four maintenance employees patrol the parking lots in the morning to ensure that spaces are available for designated users. The maintenance employees spend about one to one and a half hours patrolling the parking lots. It is generally the same four maintenance employees who perform this task.

If the maintenance employees observe unauthorized parking, they can speak to the person and ask or tell him to leave. They can also write a ticket, which advises the person that they cannot park there.<sup>14</sup> In calendar year 2002 and in year 2003 until the date of the hearing, about 80 to 90 parking tickets had been distributed. If a hospital employee repeatedly parks where not authorized, it is possible that the employee could be disciplined, although the record does not contain any evidence that this has happened. If such discipline were imposed, the role of the maintenance employee, however, would be limited to writing the parking ticket.

While patrolling the lots, the maintenance employees are paged to deal with maintenance problems. This occurs about 15 to 20 percent of the time. At that point, the maintenance employee must decide if the problem is urgent requiring his immediate attention, or whether it can wait until he completes the parking lot patrol.

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<sup>14</sup> The ticket is a courtesy-type ticket; it has no legal effect and does not impose a fine.

The security guards also have responsibility for the parking lots. According to the security logs, the security guards are responsible for employee parking lot security from 11 p.m. to 12 p.m. and for monitoring illegal parking, both unauthorized and handicap. On one occasion, a maintenance employee filling in on the 5:00 p.m. to 10:00 p.m. shift chased a “roller blader” out of a lot.

#### **B. Responding to Codes**

The hospital utilizes different “Codes” to designate particular emergencies, and during these Codes, hospital staff are assigned particular responses. Specifically, Code 7 indicates that a patient, visitor or employee is disruptive, unmanageable or otherwise threatening. In response to Code 7, all available male staff, including the maintenance employees, report to the area for a show of force. The offending party may be asked to leave the building, or escorted out of the building. At times, a call will come in to the maintenance department requesting the presence of a maintenance employee in a similar situation which apparently does not rise to the level of a Code 7.

Another Code utilized by the hospital is Code Adam, which indicates an infant or child abduction. In response to Code Adam, all available departments, including maintenance, are assigned to monitor particular doors, restricting ingress and egress as appropriate.

Other Codes utilized by the hospital are Code Blue for external disaster, Code Green for internal disaster, Code Yellow for hazardous material spill and Code Red for fire. During Codes Blue, Yellow and Red, the maintenance employees are generally responsible for locking doors to prevent unauthorized access, as from the media, and for putting up cones at the emergency room entrance to block access of unauthorized vehicles. If additional manpower is needed, the labor pool of non-medical personnel is used. During a Code Green, as occurred at the hospital with a recent anthrax threat, the maintenance employees are responsible for securing the area where the disaster occurred.

### **C. Conducting Fire Drills**

The maintenance employees conduct periodic fire drills. The maintenance employees use a checklist to monitor the drill and ensure that the fire doors are closed, that the room doors are closed, that the public address system announcement is proper, and that the bell code is proper.

### **D. Installing and Repairing Locks and Monitoring Keys**

One of the maintenance employees has developed an expertise with locks and has assumed various functions related to their installation and maintenance. He installs new locks and rekeys, repairs and maintains existing locks. He orders keys from a vendor, monitors the distribution of keys, and maintains records of the distribution of keys. In the course of performing these functions, he has access to the keys for the more secure areas of the hospital, such as the administrative offices, accounting department, gift shop and human resources department. He has the only access to the key room. He estimates that he spends 20 to 30 percent of his work time on locks and keys.

### **E. Covering for Absent Security Guard**

The maintenance employees occasionally fill in for absent security guards. When a security guard is going to be absent, his shift is posted and any maintenance employee can sign up to work it as overtime.<sup>15</sup> If a security guard is unexpectedly unavailable, the maintenance employee on call is required to cover for him. When covering for an absent security guard, the maintenance employee still receives his regular rate of pay. When covering for a security guard, the maintenance employee completes the security log rather than the maintenance log.

According to the Employer's records, during calendar year 2002, five different maintenance employees filled in for security guards on 21 different occasions.<sup>16</sup> Thus, out of

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<sup>15</sup> Security guards do not fill in for absent maintenance employees.

<sup>16</sup> In addition, during this same time period, other maintenance employees filled in for the 5:00 p.m. to 10:00 p.m. maintenance shift on five different occasions.

nine regular security shifts per week, or approximately 468 regular security shifts per year, maintenance employees filled in for absent security guards only about 5 percent of the time.

#### **IV. ANALYSIS**

To decide if the maintenance employees are statutory guards, I will first briefly review the legal principles controlling the determination of guard status. I will then apply those precepts to the specific duties of the guards set forth above.

##### **A. Controlling Legal Principles**

Section 9(b)(3) of the Act prohibits the Board from certifying for collective-bargaining purposes a unit of employees that includes both guards and non-guards. This section defines a guard as "any individual employed . . . to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises." In many cases, as here, an employer will charge certain employees with duties that are arguably security-related for only a portion of their working hours. In such cases the central concern is not a numerical accounting of the percentage of time employees spend on such duties, but rather the specific nature of the duties themselves. Rhode Island Hospital, 313 NLRB 343, 346 (1993). Accordingly, the Board has determined that employees are guards within the meaning of the Act if they are charged with guard responsibilities that are not a minor or incidental part of their overall responsibilities. *Id.* at 347.

The Board has defined guard responsibilities to include those typically associated with traditional police and plant security functions, such as the enforcement of rules directed at other employees; the possession of authority to compel compliance with those rules; training in security procedures; weapons training and possession; participation in security rounds or patrols; the monitor and control of access to the employer's premises; and wearing guard-type uniforms or displaying other indicia of guard status. Wolverine Dispatch, Inc., 321 NLRB 796, 797 (1996); 55 Liberty Owners Corp., 318 NLRB 308, 310 (1995); Burns Security Services, 300 NLRB 298, 300 (1990), enf. denied 942 F.2d 519 (8th Cir. 1991).

The Board has determined that of particular concern to the drafters of Section 9(b)(3) is the role a disputed employee may play during a period of industrial unrest or strike by other members of an employer's work force. Burns Security Services, supra, at 300. In enacting this section of the Act, Congress sought to prevent the conflict of interests that might arise among an employer's guard employees when, during a strike by a unit of non-guard employees represented by the same union that represents the employer's guards, the guards are called upon to enforce the employer's security rules against their striking colleagues. Section 9(b)(3) provides employers with a measure of insulation from this scenario of divided loyalties by precluding the Board from certifying a unit composed of both guard and non-guard employees. Boeing Company, 328 NLRB 128, 130 (1999).

In each case then the Board must determine whether the disputed employee engages in security-related duties that are a primary or essential responsibility of the position, or whether these duties are a minor or incidental part of the overall responsibilities of the position. Id. at 130-131. It is to that determination that I now turn.

#### **B. Application of Legal Principles to this Case**

In this case, the Employer has characterized certain duties performed by the maintenance employees as security-related functions: patrolling parking lots, responding to Codes, conducting fire drills, performing locksmith functions and monitoring the distribution of keys, filling in for absent security guards, and performing security rounds and other duties on the evening shift.

It is undisputed that the primary function of the maintenance employees on the day shift is to perform traditional maintenance duties and responsibilities: they maintain the Employer's physical plant and equipment. When patrolling the parking lots, the maintenance employees are monitoring unauthorized use of the lots so as to ensure that patients, visitors, and staff have place to park. They are not assigned to patrol the lots to prevent the destruction of

property or violence to persons. Such duty has, at most, a minimal relationship to security. See Syracuse University, 325 NLRB 162, 167 (1997) (Parking enforcement officers are not guards).

When responding to a Code 7 for a show of force, the duties of the maintenance employees are the same as all male hospital staff. Similarly, when responding to Code Adam for an infant or child abduction, the duties of the maintenance employee in monitoring exits are the same as other departments. It is apparent that responding to Codes in the same manner as other hospital staff can have no weight in determining whether the maintenance employees are guards. When responding to the other Codes, the maintenance employees control access at entrances and direct traffic. To the extent that the maintenance employees are enforcing the Employer's safety rules when responding to the other Codes, as in the case of barring access to an area in which there was a possible anthrax threat, such duties are not per se guard responsibilities. Boeing Company, supra, at fn. 11. Further, as to these other Codes, if additional manpower is needed, the non-medical labor pool also performs these duties. Thus, responding to the Codes, like ensuring the availability of parking spaces, is, at most, a minor security-related function.

When conducting fire drills, the maintenance employees are engaged in protecting the Employer's property and the persons therein from fire, and are engaged in enforcing the Employer's fire and safety regulations. The Board has recently held that these activities are not per se guard responsibilities. Id. Further, performing locksmith functions and monitoring the distribution of keys are not duties performed by guards. Caterpillar Tractor Company, 109 NLRB 871, 872 (1954); Hilton Hotel Corp., 287 NLRB 359 fn. 2, 362 (1987).

The maintenance employees fill in for the security guards on an infrequent and irregular basis. In fact, during calendar year 2002, maintenance employees filled in for absent guards and the evening maintenance shift on only 26 occasions. These shifts were filled on an overtime basis and five of the maintenance employees filled them. While regular substitution for an absent guard will confer guard status, infrequent and irregular substitution, as has occurred

here, will not. Boeing Company, supra, at fn. 1; Hook Drugs, Inc., 114 NLRB 1157 (1955). See also Carlisle Engineered Products, Inc., 330 NLRB 1359, 1361 (2000) (Substituting for a supervisor on an occasional basis is insufficient to cloak the disputed employee with the status of the supervisory position).

Considering all of these duties together, it is manifestly clear they are merely incidental to the primary duties of the day shift maintenance employees and do not confer guard status on these employees. In this regard, the instant case is distinguishable from the cases relied upon by the Employer. In Rhode Island Hospital, 313 NLRB 343 (1993), cited by the Employer, the security officers patrolled the grounds, had keys to open locked doors, checked personal identification when necessary and regularly responded to calls for emergency help from employees or patients; the traffic control officers made periodic rounds of the cafeteria, restrooms and adjacent parking lots and about twice a day were summoned to enforce rules prohibiting smoking or limiting the number of visitors.

Similarly, in A. W. Schlesinger Geriatric Center, 267 NLRB 1363 (1983), cited by the Employer, the disputed employees assumed security responsibilities after the employer eliminated its contract security guards. They spent between 50 and 75 percent of their time on security-related functions, including locking and unlocking doors, monitoring the property during shift changes, making hourly rounds of the property, and ensuring that parking lots were illuminated. Further, in Wright Memorial Hospital, 255 NLRB 1319 (1980), in the absence of a hospital security force, the Employer's ambulance drivers made security rounds twice per shift. In other words, in all of the cases upon which the Employer relies, an essential attribute of the disputed employees' responsibility encompassed monitoring the Employer's property for security purposes and reporting any findings to others equipped to deal with them.

Here, by contrast, the essence of the day shift maintenance employees' responsibilities is to maintain the Employer's physical plant. The day shift maintenance employees do not

perform traditional security functions on a regular and ongoing basis and the additional charge to perform the duties detailed above is purely incidental to their primary function.

The evening shift maintenance employee, however, presents a different situation. His primary responsibility is the performance of security functions, and consistent with this responsibility, he spends at least half of his shift making security rounds. In this regard, his duties are more closely related to those of the employees found to be guards in Rhode Island Hospital, A.W. Schlesinger and Wright Memorial Hospital. In that the evening shift maintenance employee performs significant security-related functions, I find that he is a guard within the meaning of the Act and I shall exclude him from the skilled maintenance unit found appropriate herein.

## **V. FINDINGS AND CONCLUSIONS**

Based upon the entire record in this matter and in accordance with the discussion above, I find and conclude as follows:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are affirmed.
2. The Employer is engaged in commerce within the meaning of the Act and is a health care institution within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction in this matter.
3. The Petitioner claims to represent certain employees of the Employer.
4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

5. The following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act<sup>17</sup>:

All full-time and regular part-time day shift skilled maintenance employees employed by the Employer at Bradford Regional Medical Center in Bradford, Pennsylvania; excluding business office clerical employees, registered nurses, technical employees, the evening shift maintenance employee and other guards, professional employees and supervisors as defined in the Act and all other employees.

## **VI. DIRECTION OF ELECTION**

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. The employees will vote whether or not they wish to be represented for purposes of collective bargaining by United Steelworkers of America, AFL-CIO, CLC. The date, time and place of the election will be specified in the Notice of Election that the Board's Regional Office will issue subsequent to this Decision.

### **A. Voting Eligibility**

Eligible to vote in the election are those in the unit who were employed during the payroll period ending immediately before the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, in an economic strike which commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls.

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<sup>17</sup> As noted in the text above, I have found that the part-time maintenance employee working the evening shift from 5:00 p.m. to 10:00 p.m. performs significant security-related functions, and accordingly he is excluded from the skilled maintenance unit.

Ineligible to vote are (1) employees who have quit or been discharged for cause since the designated payroll period; (2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and (3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced.

**B. Employer to Submit List of Eligible Voters**

To ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses, which may be used to communicate with them. Excelsior Underwear, Inc., 156 NLRB 1236 (1966); NLRB v. Wyman-Gordon Company, 394 U.S. 759 (1969).

Accordingly, it is hereby directed that within seven (7) days of the date of this Decision, the Employer must submit to the Regional Office an election eligibility list containing the full names and addresses of all the eligible voters. North Macon Health Care Facility, 315 NLRB 359, 361 (1994). This list must be of sufficiently large type to be clearly legible. To speed both preliminary checking and the voting process, the names on the list should be alphabetized (overall or by department, etc.). Upon receipt of the list, I will make it available to all parties to the election.

To be timely filed, the list must be received in the Regional Office, Room 1501, 1000 Liberty Avenue, Pittsburgh, PA 15222, on or before April 4, 2003. No extension of time to file this list will be granted, except in extraordinary circumstances, nor will the filing of a request for review affect the requirement to file this list. Failure to comply with this requirement will be grounds for setting aside the election whenever proper objections are filed. The list may be submitted by facsimile transmission at 412/395-5986. Since the list will be made available to all parties to the election, please furnish a total of **two (2)** copies, unless the list is submitted by

facsimile, in which case no copies need be submitted. If you have any questions, please contact the Regional Office.

**C. Notice of Posting Obligations**

According to Section 103.20 of the Board's Rules and Regulations, the Employer must post the Notices of Election provided by the Board in areas conspicuous to potential voters for a minimum of three (3) full working days prior to 12:01 a.m. of the day of the election. Failure to follow the posting requirement may result in additional litigation if proper objections to the election are filed. Section 103.20(c) requires an employer to notify the Board at least five (5) full working days prior to 12:01 a.m. of the day of the election if it has not received copies of the election notice. Club Demonstration Services, 317 NLRB 349 (1995). Failure to do so precludes employers from filing objections based on non-posting of the election notice.

**VIII. RIGHT TO REQUEST REVIEW**

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14<sup>th</sup> Street, N.W., Washington, D.C. 20570-0001. This request must be received by the Board in Washington by 5 p.m., EST (EDT), on April 11, 2003. The request may **not** be filed by facsimile.

Dated: March 28, 2003

/s/Gerald Kobell

Gerald Kobell, Regional Director

NATIONAL LABOR RELATIONS BOARD  
Region Six  
Room 1501, 1000 Liberty Avenue  
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